

**READINGTON TOWNSHIP PLANNING BOARD MINUTES**  
**VIRTUAL SPECIAL MEETING**  
**January 31, 2022**

The Meeting was called to order by Chair Monaco at 7:00 p.m. stating that the requirements of the Open Public Meetings Act have been met and that this meeting had been duly advertised.

THIS MEETING WILL BE CONDUCTED VIRTUALLY FOR ALL BOARD MEMBERS, BOARD PROFESSIONALS, APPLICANT AND APPLICANT'S TEAM, ANY INTERESTED PARTIES AND MEMBERS OF THE PUBLIC. MEMBERS OF THE PUBLIC ARE INVITED TO VIEW MEETINGS LIVE USING WEBEX WHICH ALLOWS THEM TO "RAISE A HAND" AND CONTRIBUTE WITH VOICE AND VIDEO DURING THE PUBLIC PORTIONS OF THE MEETING. MEMBERS OF THE PUBLIC WHO ARE CALLING IN BY PHONE WILL ALSO HAVE THE OPPORTUNITY TO CONTRIBUTE WHEN CALLED UPON TO SPEAK.

**ROLL CALL**

Board Members in Attendance:

Albanese, J. (arrived 7:10 p.m.)

Allen, J.

Cook, J.

Filler, C.

John, C.

Monaco, R.

Mueller, A.

Hindle, J.

Rohrbach, T.

Villa, C.

Hendrickson, N.

**Others Present:**

Board Attorney Jonathan Drill, Esq., Board Planner Michael Sullivan, Board Engineer Rob O'Brien, Board Environmental Consultant Laura Craig, Board Traffic Engineer Jay Troutman, and Board Secretary Ann Marie Lehberger.

**MINUTES**

Ms. Filler moved, and Mr. Cook seconded, a motion to approve the January 24, 2022, minutes. The motion carried unanimously.

**RESOLUTIONS**

**CF Warehouse LLC – Resolution# 2021-05**

Block 17 Lot 8- 388 Route 22

Appl# PB21-001-Preliminary Major Site Plan-Retail Furniture Showroom and Warehouse with Offices

Mr. Cook moved, and Ms. Allen seconded, a motion to adopt Resolution#2021-05 for CF Warehouse LLC. The roll call vote follows:

Member	Motion	2 <sup>nd</sup>	Yes	No	Abstain	Absent	Not Eligible	Recused
Albanese								
Allen		X	X					
Cook	X		X					
Filler			X					
Hindle							X	
John			X					
Mueller			X					
Monaco			X					
Rohrbach			X					
Villa							X	
Hendrickson							X	

### **OTHER BUSINESS**

#### **Referral from Township Committee: Block 36 Redevelopment Plan**

Review of the draft Block 36 Redevelopment Plan, which encompasses Block 36, Lots 4, 5, 5.02, 5.04, 65 and 66, pursuant to NJ Chapter 12A Local Redevelopment and Housing Law, 40:12A-7. e.

Board Planner Michael Sullivan provided some history and gave an overview of the Block 36 Redevelopment Plan.

Board Member Rohrbach questioned if there was flexibility in the design elements.

Ms. Filler moved, and Mr. Albanese seconded, a motion to advise the Township Committee that the Board finds the draft Block 36 Redevelopment Plan to be not inconsistent with the Master Plan. The roll call vote follows:

Member	Motion	2 <sup>nd</sup>	Yes	No	Abstain	Absent	Not Eligible	Recused
Albanese		X	X					
Allen			X					
Cook					X			
Filler	X		X					
Hindle			X					
John			X					
Mueller			X					
Monaco			X					
Rohrbach			X					
Villa			X					
Hendrickson							X	

Board Members Hendrickson and Albanese recused themselves and left the meeting.

### **PUBLIC HEARING**

**Chubb INA Holdings, Inc. / Rosedale and Rosehill Cemetery Association**

Appl# PB21-003 – Application for Preliminary Site Plan Approval and Conditional Use Approval for a Cemetery on Block 12, Lots 16 and 16.01

Attorney Glen Pantel was present on behalf of Chubb INA Holdings Inc. and Attorney Robert Stanicki was present on behalf of Rosedale and Rosehill Cemetery Association.

Attorney Robert Simon was present to represent individual objectors regarding this application.

Board Attorney Drill provided preliminary remarks regarding jurisdictional issues that must be considered and decided by the Board before hearing the merits of the application. Mr. Drill noted the final issue to discuss this evening is as follows:

- The Board must make a factual determination of whether the revised plans that were submitted in June of 2021 are a substantial change to that reflected on the plans submitted with the original application in 2017.

Board Attorney Drill noted that the Applicant began their testimony on this issue at the hearing on November 8, 2021 and confirmed that all Board Members present were eligible to vote on the application.

Attorney Glen Pantel confirmed that the Applicant had begun their testimony regarding the issue of substantial change on November 8, 2021 and would continue this evening with testimony from their engineer Ron Kennedy.

Ronald Kennedy, the Applicant's engineer was present. It was noted that he had been previously sworn and remained under oath. Referencing previously introduced exhibits, A-1 through A-10, Mr. Kennedy provided a recap of his testimony from the November 8, 2021, meeting describing the changes and the reasons why the changes were made to the 2021 plans versus the 2017 plans.

In response to a question from Board Attorney Drill, Mr. Kennedy confirmed that only completeness reports were issued by the Board professionals in 2017 and not any technical reviews.

The Board questioned if the proposed gates were moved. Mr. Kennedy stated that the gates were moved back due to the riparian buffer.

Board Attorney Drill asked for clarification on the building coverage calculations.

Mr. Kennedy introduced an additional exhibit that was marked into evidence as follows:

A-11 2017 Regulated Areas Exhibit dated 1/31/22

Board Attorney Drill asked for clarification as to what was being shown in Exhibit A-11.

Mr. Kennedy clarified the change in the proposed burial areas from 2017 to 2021.

Mr. Kennedy summarized his testimony by stating that in his opinion the changes that were made to the plans are normal and minor in comparison to changes that are customary made to plans. He explained that they are not changing the core element of what is being proposed noting that the revisions are accessory to what is being proposed. Mr. Kennedy further explained that the changes were necessary in order to comply with the new DEP (Department of Environmental Protection) stormwater regulations. He stated that there is less impact as a result because the new stormwater rules are intended to have a better impact on the environment.

The Board took a 10-minute break at 8:35 p.m. and returned at 8:45 p.m. with all members present.

Attorney Robert Simon began his cross examination of Mr. Kennedy.

Mr. Simon questioned if Mr. Kennedy had ever testified in a similar case where the issue before the Board was whether there was a substantial change to the plans. Mr. Kennedy stated that he had not.

Mr. Simon asked for clarification as to what pages on the site plan were changed.

In response to a question from Mr. Simon, Mr. Kennedy confirmed that complying with the new DEP regulations increased the size and number of basins.

Mr. Simon asked for clarification as to the number and type of basins proposed.

In response to a question from Mr. Simon, Mr. Kennedy explained the different type of proposed basins and the infiltration area.

Mr. Simon questioned what would trigger applications that are in process to be required to comply with new stormwater regulations.

Mr. Simon questioned what permits have been received and what ones would be required from the DEP for the application.

Mr. Pantel objected to Mr. Simon's question as to whether the Applicant is required to comply with the Township's new stormwater ordinance adopted in 2021. Mr. Pantel stated that it is the Applicant's position that they are not required to comply because they are grandfathered against it based on Municipal Land Use Law.

Mr. Pantel stated that as a result of complying with the DEP regulations, they are in compliance with the Township stormwater ordinance.

Mr. Kennedy confirmed that the Applicant was able to comply with the Township's requirement of a 90 percent TSS (Total Suspended Solids) removal for water quality.

Mr. Simon asked for clarification as to the number of acres proposed for ground burial areas.

Mr. Simon asked for clarification on the reduction in paths and walkways. Mr. Kennedy stated that they were reduced due to the conservation easement. Mr. Kennedy confirmed that they could apply for relief from the DEP or request a variance from the Township but noted that the Applicant spent a lot of time to eliminate relief on the project.

Mr. Simon questioned the change in the length of the stream corridor easement between the 2017 plan and the 2021 plan. Mr. Kennedy noted there was some confusion in the interpretation of the ordinance in 2017 that was clarified by the Township Planner.

Mr. Simon inquired about any other future development on the property contemplated to be owned by the cemetery.

The Board inquired as to why above ground basins are proposed versus underground storage.

The Board inquired where the groundwater goes that is displaced by the burial plot.

Mr. Kennedy stated that they would have experts testify that will go into greater detail regarding stormwater and groundwater when they got to the point of doing the full application.

The Board questioned how many variances and exceptions were eliminated by the changes to the plans. Mr. Kennedy stated that he would have to count but estimated that it was five or six.

Chair Monaco opened the public portion of the meeting for questions of Mr. Kennedy. There were no questions.

Board Attorney Drill announced that the application would be carried to March 14, 2022 and March 29, 2022 (special meeting) at 7:00 p.m. No further notice will be provided. It was noted that the meeting on March 14<sup>th</sup> will be virtual as long as the public health emergency remains in effect. The Board secretary will post a notice on the website a week in advance to advise whether the meeting will be virtual or in person. The special meeting on March 29<sup>th</sup> if needed will be in person.

The Applicant agreed to provide an extension of time for the Board to act through April 30, 2022.

Mr. Cook moved, and Ms. Filler seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at approximately 10:15 p.m.

***Full transcript prepared by Iris LaRosa CSR, RPR, of Precision Reporting Service is available on file in the Planning office during regular business hours. The Planning office is located in the Township Municipal Building at 509 Route 523, Whitehouse Station, New***

***Jersey and is open to the public Monday through Friday from 8:30 a.m. to 4:30 p.m. Please contact the Planning Office [planning@readingtontwp-nj.org](mailto:planning@readingtontwp-nj.org) or 908-534-4067 for an email copy.***

Respectfully submitted,  
Ann Marie Lehberger  
Planning Board Secretary